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The Hon. Mary Alice Theiler

3        AUG 16 2016

4                    AT SEATTLE  
CLERK U.S. DISTRICT COURT  
5                    BY WESTERN DISTRICT OF WASHINGTON  
6                    DEPUTY

7                    UNITED STATES DISTRICT COURT FOR THE  
8                    WESTERN DISTRICT OF WASHINGTON  
9                    AT SEATTLE

10                  UNITED STATES OF AMERICA,  
11                  Plaintiff,  
12                  v.  
13                  MOHAMED A. KHALIF,  
14                  Defendant.

CASE NO. M~~J~~16 - 361

COMPLAINT for VIOLATION  
18 U.S.C. §§ 922(g)(1)

15                  BEFORE United States Magistrate Judge Mary Alice Theiler, Seattle, Washington.

16                  The undersigned complainant being duly sworn states:

17                  Count One

18                  **Felon in Possession of a Firearm**

19                  On or about July 1, 2016, in the City of Auburn, Washington, within the Western  
20 District of Washington, MOHAMED A. KHALIF, having been convicted of the following  
21 crimes punishable by imprisonment for a term exceeding one year, to wit:  
22

- 23                  a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC,  
24                  in the United States District Court for the Western District of  
25                  Washington, on or about July 29, 2011;  
26  
27                  b. *Robbery in the Third Degree*, cause number 050533118, in  
28                  Multnomah County, Oregon, on or about October 11, 2007; and

Complaint: KHALIF - 1

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

c. *Forgery*, cause number 08-1-02871-9, in King County, Washington, on or about June 3, 2008;

did knowingly possess, in and affecting interstate and foreign commerce, the following firearms, to wit: a Springfield, Model XD 45, .45 caliber handgun, bearing serial number XD707818, which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

## Count Two

## **Felon in Possession of Ammunition**

On or about July 1, 2016, in the City of Auburn, Washington, within the Western District of Washington, MOHAMED A. KHALIF, having been convicted of the following crimes punishable by imprisonment for a term exceeding one year, to wit:

- a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC, in the United States District Court for the Western District of Washington, on or about July 29, 2011;
  - b. *Robbery in the Third Degree*, cause number 050533118, in Multnomah County, Oregon, on or about October 11, 2007; and
  - c. *Forgery*, cause number 08-1-02871-9, in King County, Washington, on or about June 3, 2008;

did knowingly possess, in and affecting interstate and foreign commerce, the following ammunition, to wit: eighteen (18) .327 caliber rounds of Federal Premium .327 magnum (head stamped with FC Federal .327 MAG) ammunition, which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

Complaint: KHALIF - 2

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### **Count Three**

## **Felon in Possession of a Firearm**

On or about July 1, 2016, in the City of Auburn, Washington, within the Western District of Washington, MOHAMED A. KHALIF, having been convicted of the following crimes punishable by imprisonment for a term exceeding one year, to wit:

- a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC, in the United States District Court for the Western District of Washington, on or about July 29, 2011;
  - b. *Robbery in the Third Degree*, cause number 050533118, in Multnomah County, Oregon, on or about October 11, 2007; and
  - c. *Forgery*, cause number 08-1-02871-9, in King County, Washington, on or about June 3, 2008;

did knowingly possess, in and affecting interstate and foreign commerce, the following firearms, to wit: a Ruger .327 caliber revolver, bearing serial number 545-40763, which had been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 922(g)(1).

**I, Andrew Wasmund, being first duly sworn, do hereby depose and say:**

1. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

2. I am a Special Agent (SA) with the United States Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since December 29<sup>th</sup>, 2013. I am currently assigned to the Seattle Field Division Headquarters, in Seattle, Washington where your affiant is assigned to the Gun Trafficking Group. In this capacity, I enforce federal criminal laws relating to the possession and trafficking of firearms. Prior to my employment with ATF, I served on

1 active duty in the U.S. Army Infantry. I also completed a BA in Criminal Justice from  
2 Concordia University St. Paul, Minnesota.

3       3. I received formal training in the Federal Law Enforcement Training Center  
4 in Glynnco, Georgia, Criminal Investigators Training Program, which familiarized me with  
5 basic narcotic investigations, drug identification and detection, familiarization with United  
6 States narcotics laws, financial investigations and money laundering, identification and  
7 seizure of drug-related assets, organized crime investigations, physical and electronic  
8 surveillance, and undercover operations. In addition, I successfully completed a fourteen  
9 week ATF Special Agent Basic Training course in Glynnco, Georgia, which included  
10 comprehensive, formalized instruction in, among other things: firearms identification,  
11 firearms trafficking, arson and explosives, and tobacco and alcohol diversion.

12       4. This affidavit is made based upon my personal knowledge, training,  
13 experience and investigation, as well as upon information provided to me and my review  
14 of reports prepared by other law enforcement personnel. This affidavit is made for the  
15 purpose of establishing probable cause for this Complaint and thus does not include each  
16 and every fact known to me concerning this investigation.

17       5. This affidavit is made in support of a complaint against Mohamed Abdullahi  
18 KHALIF for being a Felon in Possession of a Firearm, in violation of Title 18, United  
19 States Code, Section 922(g)(1).

20       6. On July 1, 2016, Auburn Police Department (APD) Sergeant Betz, initiated  
21 a traffic stop on a Chevrolet Tahoe, license plate 392YHE, for having defective stop lamps  
22 in the 1000 block of 18<sup>th</sup> Street NE Auburn, Washington, 98002. The vehicle stopped and  
23 the driver, later identified as MOHAMED KHALIF (FBI # 741978XB6) by Washington  
24 State Identification Card, immediately fled and began running on foot away from the  
25 vehicle. APD officers pursued KHALIF, caught him a short distance away from the  
26 vehicle, and placed him under arrest. APD officers read KHALIF his constitutional rights  
27 and he stated he understood his rights.

1       7. APD Officers searched KHALIF, incident to arrest, and found the following  
2 on his person: eighteen (18) .327 caliber rounds of Federal Premium .327 magnum  
3 ammunition (head stamped with FC .327 Federal Mag, approximately 6 grams of heroin,  
4 approximately 6 grams of cocaine, approximately 6 pills of XANAX (broken pieces), .008  
5 g/1 dose of SUBOXON (still in unopened packaging), and 4 pills of Oxycodone.

6       8. While KHALIF was being arrested the passenger in the vehicle remained in  
7 place. APD officers identified the passenger as S.T-S., the legally registered owner of the  
8 vehicle. S.T-S. stated he recently picked KHALIF up at a local gas station and allowed  
9 him to drive his vehicle. S.T-S. stated when KHALIF entered the vehicle he placed a red  
10 bag behind the driver's seat. KHALIF denied any knowledge of the bag when asked by  
11 APD officers. S.T-S. gave APD officers permission to search the vehicle and its contents.  
12 Inside the red bag APD officers found a Springfield, Model XD 45, .45 caliber handgun,  
13 bearing serial number XD707818. This firearm was previously reported stolen. A  
14 magazine, with ten (10) .45 caliber rounds was inserted into the handgun. APD officers  
15 also found a pair of 34 waist pants in the red bag. APD officers noted that KHALIF was  
16 wearing pants size 35-39 with a belt and S.T-S. was heavier set, not likely able to fit into  
17 the pants.

18       9. APD officers verified S.T-S. had a valid driver's license and allowed him to  
19 leave in his vehicle. Shortly after APD officers left the scene a 911 call was received  
20 stating there was a firearm found at the location of the traffic stop. APD officers returned  
21 and found a revolver located in a bark landscaped area close to where the traffic stop had  
22 occurred. Reporting party P.C. told officers after the traffic stop neighbors had found the  
23 firearm and she did not believe anyone had touched the revolver. APD officers secured the  
24 firearm and identified it as a Ruger .327 caliber revolver, bearing serial number 545-  
25 40763. The revolver was loaded with 6 rounds of ammunition. This firearm was  
26 previously reported as stolen.

1       10. The location of the firearm was in close proximity to where KHALIF fled  
2 officers. In addition, the uncommon caliber of the revolver (.327) matched the caliber of  
3 ammunition found on KHALIF.

4       11. After reviewing criminal history documents, I have been able to confirm the  
5 KHALIF has been convicted of the following felony crimes as an adult:

- 6           a. *Felon in Possession of a Firearm*, cause number CR11-002-JCC, in  
7           the United States District Court for the Western District Of  
8           Washington, on or about July 29, 2011;  
9           b. *Robbery in the Third Degree*, cause number 050533118, in  
10           Multnomah County, Oregon, on or about October 11, 2007; and  
11           c. *Forgery*, cause number 08-1-02871-9, in King County, Washington,  
12           on or about June 3, 2008.

13       Each of the crimes listed above were punishable by a term of imprisonment exceeding one  
14       year.

15       12. S/A David Cline, with the Bureau of Alcohol, Tobacco, Firearms, and  
16 Explosives, has received specialized training in the recognition and identification of  
17 firearms and ammunition and their place of manufacture. S/A Cline has reviewed  
18 information on the Ruger .327 caliber revolver, bearing serial number 545-40763 and the  
19 Springfield, Model XD 45, .45 caliber handgun, bearing serial number XD707818, and  
20 determined that both are firearms according to 18 U.S.C. 921 (a)(3) and that they were not  
21 manufactured in the state of Washington. As a result, the firearm must have traveled in/or  
22 affected interstate or foreign commerce in order to be possessed in the state of  
23 Washington.

24       13. S/A David Cline has reviewed information on the eighteen (18) .327 caliber  
25 rounds of Federal Premium .327 magnum (FC Federal .327 MAG) ammunition and  
26 determined it is ammunition according to 18 U.S.C. 921 (a)(3) and that it was not  
27 manufactured in the state of Washington. As a result, the firearm must have traveled in/or

1 affected interstate or foreign commerce in order to be possessed in the state of  
2 Washington.

3       14. Based on the aforementioned facts, I believe that there is probable cause to  
4 believe that MOHAMED A. KHALIF has committed the crimes of being a *Felon in*  
5 *Possession of a Firearm* and *Felon in Possession of Ammunition*, in violation of Title 18,  
6 United States Code, Section 922(g)(1). /

**ANDREW WASMUND, Complainant  
Special Agent, ATF**

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the defendant committed the offense set forth in the Complaint.

DATED this 16 day of August, 2016.

**MARY ALICE THEILER**  
United States Magistrate Judge